

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

JEFF N. MOODY,

Petitioner,

vs.

CIV 15-0580 RB/KBM

PHILLIP GREER, CHIEF and  
HECTOR BALDERAS, ATTORNEY  
GENERAL, STATE OF NEW MEXICO,

Respondents.

**ORDER ADOPTING MAGISTRATE JUDGE'S**  
**PROPOSED FINDINGS AND**  
**RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on November 12, 2015 (*Doc. 12*). The proposed findings notify Petitioner of his ability to file objections within fourteen (14) days and that failure to do so waives appellate review. *Id.* at 6. Petitioner was afforded additional time to file objections due to the initial return of the Proposed Findings as undeliverable subsequent to his transfer to the Central New Mexico Correctional Facility. The findings were re-mailed to Petitioner on November 30, 2015. To-date, Petitioner has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered to Petitioner's current address of record.

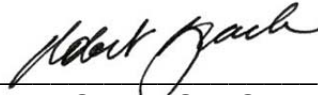
Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 12*) is ADOPTED;
2. Petitioner's Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C.

§ 2254 (*Doc. 1*) is dismissed **without prejudice**;

3. A final order and order denying a certificate of appealability is entered concurrently herewith.

A handwritten signature in black ink, appearing to read "Robert Zach", is written above a horizontal line.

UNITED STATES DISTRICT JUDGE